Supreme Court, U.S.
FILED
991009 DEC 13 1999
OFFICE OF THE CLERK

No. 99-

IN THE
SUPREME COURT OF THE UNITED STATES

SUE HARRIS DEBAUCHE,
Petitioner,

v.

EUGENE TRANI, et al.,
Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Fourth Circuit

APPENDIX
Volume II of II

James J. Knicely
Counsel of Record for Petitioners
Knicely & Associates, P.C.
487 McLaws Circle, Suite 2
Williamsburg, Virginia 23185
757-253-0026

Thomas Stephen Neuberger
Thomas S. Neuberger, P.A.
200 West Ninth Street, Suite 702
Wilmington, Delaware 19801
302-655-0582

John W. Whitehead
Steven H. Aden
The Rutherford Institute
1445 East Rio Road
Charlottesville, Virginia 22901
804-978-3888

Attorneys for Petitioners

13pp+f/os

APPENDIX TO PETITON FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

TABLE OF CONTENTS

Opinion of the U. S. Court of Appeals for the Fourth Circuit filed 9/15/99, Nos. 98-1658 & 98-2517 . . . . . A1-A34

Opinion and Order of the U. S. District Court for the Eastern District of Virginia filed 4/13/98, No. CA-97-770-3 . .A35-A51

Opinion and Order of the U. S. District Court for the Eastern District of Virginia filed 9/4/98, No. CA-97-770-3 . . .A52-A77

First Amended Complaint, 11/26/97 . . . . . A78-A111

Selected Exhibits from Appendix to Plaintiff's Opposition to the State Defendants' Motion to Dismiss, with Affidavit . . . . . .

Table of Contents (pp. 38-41) A112-A115
Debate Virginia Website Home Page (p. 44) A116
Debate Virginia Website Press Room (p. 45) A117
Debate Virginia News Release #1 9/12/97 (pp. 46- 47) A118-A119
Debate Virginia News Release #2 9/16/97 (p. 51) A120
Debate Virginia News Release #6 10/6/97 (pp. 53-54 . . . . . A121-A122
Debate Virginia University News Services "Debate Virginia `97 Reflects Teamwork Across University" 10/10/97 (pp. 59-61) A123-A125
Wilder 4/7/97 letter to Candidate Gilmore* (p. 73) . . . A126

*Indicates identical documents which were sent to both Candidates Gilmore and Beyer but only one of which is included in this Appendix to Petition for A Writ of Certiorari

VCU/Wilder 7/7/97 Co-sponsorship letter* (p. 84) . . . A127
WNVT-TV 7/16/97 letter (pp. 85-86) A128-A129
VCU/Wilder 9/4/97 letter to Candidate Gilmore with arrangements addendum* (pp. 91-93) A130-A132
VCU/Wilder 9/17/97 letter to Candidate Gilmore* (pp. 96-97) A133-A134
VCU/Wilder 9/24/97 letter to Candidate Beyer with format addendum* (pp. 100-103) A135-A138
VCU/Trani 9/26/97 letter to Candidate Campaign Managers (pp. 108-09) A139-A140
VCU/Trani 10/1/97 letter to Candidate Campaign Managers (pp. 112-13) A141-A142
VCU/Trani 10/2/97 letter to Candidate Campaign Managers (p. 120) A143
VCU/Trani 10/3/97 letter [#1] to Candidate Campaign Managers (pp. 121-23) A144-A146
VCU/Trani 10/3/97 letter [#2] to Candidate Campaign Managers (p. 125-126) A147-A148
VCU/Trani 10/6/97 letter to Candidate Campaign Managers (p. 127) A149
VCU/Trani 10/6/97 memorandum to Candidate Campaign Managers (pp. 129-130) A150-A151
VCU/Trani 1997 No-Use Agreement (pp. 132-33) A152-A153
DeBauche 10/21/97 letter to Trani (pp. 141-42) A154-A155
VCU/Trani 10/24/97 letter to DeBauche (p. 143) A156
Article, "Wilder holds election wild card," Richmond Times-Dispatch 10/6/97 (pp. 144-46) A157-A159
Article, "DeBauche leads Reform Party charge," Richmond Times-Dispatch 10/14/97 (pp. 147-48) A160-A161
Editorial, "She's Right," Richmond Times-Dispatch 10/11/97 (p. 149) A162

Sue Harris DeBauche Affidavit 1/21/98 . . . . . A163-A167

Winston E. Mathews, Jr. Affidavit 1/20/98 . . . . A168-A172

James J. Knicely Letter 7/29/98 . . . . . A173

Letter from Laura M. Hillenbrand to James J. Knicely, 5/5/98 (with 5/4/98 attached postmark), and copy of postmarked envelope dated 3/16/98, marked insufficient address A174-A176

PLAINTIFF'S APPENDIX TO OPPOSITION TO STATE DEFENDANTS' MOTION TO DISMISS

TABLE OF CONTENTS

A. VCU "DEBATE VIRGINIA" WORLD WIDE WEB COVERAGE

1. VCU WEB page: Home Page - 1997 Virginia Gubernatorial Debate 001

2. VCU WEB page: What's New - 1997 Virginia Gubernatorial Debate 003

3. VCU WEB page: Press Room - 1997 Virginia Gubernatorial Debate 004

4. VCU News Release: VCU to Host 1997 Virginia Gubernatorial Debate 005

5. VCU News Release: Media Advisory (deadline set for media credentials) 007

6. VCU News Release: Media Advisory (instructions for credentialed media) . . . 008

7. VCU News Release: VCU Launches 1-800 Number, Web Site to Draw Virginians' Questions for 1997 Gubernatorial Debate 010

8. VCU News Release: Virginians Pose Wide Range of Questions for Beyer-Gilmore Debate at VCU 012

9. Info on the Issues by L. Douglas Wilder - 1997 Virginia Gubernatorial Debate 014

A112

10. VCU WEB page: 1997 Virginia Gubernatorial Debate - VCU Distinguished Professor L. Douglas Wilder as Moderator of Debate Virginia 016

11. VCU News Services Stories - 1997 Virginia Gubernatorial Debate - University News Services: Debate Reflects Teamwork Across University 018

B. VCU WORLD WIDE WEB PAGE - GENERAL INFORMATION

12. VCU WEB page: Brief History of VCU 021

13. VCU WEB page: Mission of the University 022

14. VCU WEB page: VCU 1997-98 Resource Guide - Rules and Procedures pp. 1-3 024

15. VCU WEB Guidelines 027

16. VCU Electronic Info. Systems Guidelines 030

C. CORRESPONDENCE ON DEBATE SPONSORSHIP AND LOGISTICS

17. Letter dated April 7, 1997 from Laurence Douglas Wilder to Donald S. Beyer, Jr. 031

18. Letter dated April 7, 1997 from Laurence Douglas Wilder to Jim Gilmore 032

19. Fax dated April 9, 1997 from Gov. L. Douglas Wilder to Atty. General Jim Gilmore 033

20. Letter dated April 23, 1997 from G. Bryan Slater to Gov. Douglas Wilder 036

21. Letter dated May 1, 1997 from James S. Gilmore, III to Gov. Douglas Wilder . 037

22. Letter dated May 7, 1997 from Laurence Douglas Wilder to Atty. General Gilmore (cc: Don Beyer) 038

23. Letter dated June 5, 1997 from Donald S. Beyer, Jr. to The Honorable L. Douglas Wilder 039

24. Letter dated June 9, 1997 from L. Douglas Wilder to Lt. Governor Don Beyer (cc: Jim Gilmore) 040

25. Letter dated June 25, 1997 from G. Bryan Slater to The Honorable L. Douglas Wilder 041

26. Letter dated July 7, 1997 from L. Douglas Wilder to Don Beyer and Jim Gilmore 042

27. Letter dated July 16, 1997 from Roger A. McIntosh to L. Douglas Wilder 044

28. Letter dated September 4, 1997 from L. Douglas Wilder to Lt. Governor Donald S. Beyer (re: debate outline). 046

Fax dated September 4, 1997 from L. Douglas Wilder to James S. Gilmore (re: debate outline) 049

29. Letter dated September 6, 1997 from E. Brooke Brinkerhoff to The Honorable L. Douglas Wilder 053

30. Letter dated September 10, 1997 from Jim Gilmore to The Honorable L. Douglas Wilder 054

31. Letter dated September 17, 1997 from L. Douglas Wilder to The Honorable James S. Gilmore 055

Letter dated September 17, 1997 from L. Douglas Wilder Lieutenant Governor Don Beyer 056

32. Letter dated September 24, 1997 from L. Douglas Wilder to Lt. Governor Don Beyer with Intended Format Agenda 059

Fax dated September 24, 1997 from L. Douglas Wilder to The Honorable James Gilmore with Intended Format Agenda 063

33. Letter dated September 26, 1997 from Meg Fontaine Price to Susan Platt and Bryan Slater 067

34. Letter dated September 29, 1997 from Brooke Brinkerhoff to Meg Fontaine Price 070

35. Letter dated October 1, 1997 from Meg Fontaine Price to Susan Platt and Bryan Slater 071

36. Fax dated October 1, 1997 from Meg Fontaine Price to Bryan Slater 073

37. Fax dated October 1, 1997 from Sybil Halloran to Bryan Slater 074

38. Letter dated October 2, 1997 from E. Brooke Brinkerhoff to Meg Fontaine Price 078

39. Letter dated October 2, 1997 from Meg F. Price to Susan Platt and Bryan Slater 079

40. Letter dated October 3, 1997 from Meg Fontaine Price to Susan Platt and Bryan Slater with 1997 No Use Agreement 080

41. Letter dated October 3, 1997 from Meg Fontaine Price to Susan Platt and Bryan Slater 084

42. Letter dated October 6, 1997 from Meg F. Price to Susan Platt and Bryan Slater 086

43. Fax dated October 6, 1997 from Meg F. Price to Bryan Slater 087

44. Fax Memorandum dated October 6, 1997 from Meg F. Price to Susan Platt and Bryan Slater 088

A114

45. Fax Memorandum dated October 6, 1997 from Meg F. Price to Susan Platt and Bryan Slater with Executed Copies of 1997 No Use Agreement 089

46. Map of VCU Stage 093

47. Sample of timekeeper signals 094

48. Map of VCU Performing Arts Center basement 095

49. Map of VCU Performing Arts Center Auditorium 096

50. Map with directions to VCU 097

51. L. Douglas Wilder Gubernatorial Debate Station Line-Up 098

52. Sue Harris DeBauche letter dated October 21, 1997 to Dr. Eugene Trani 100

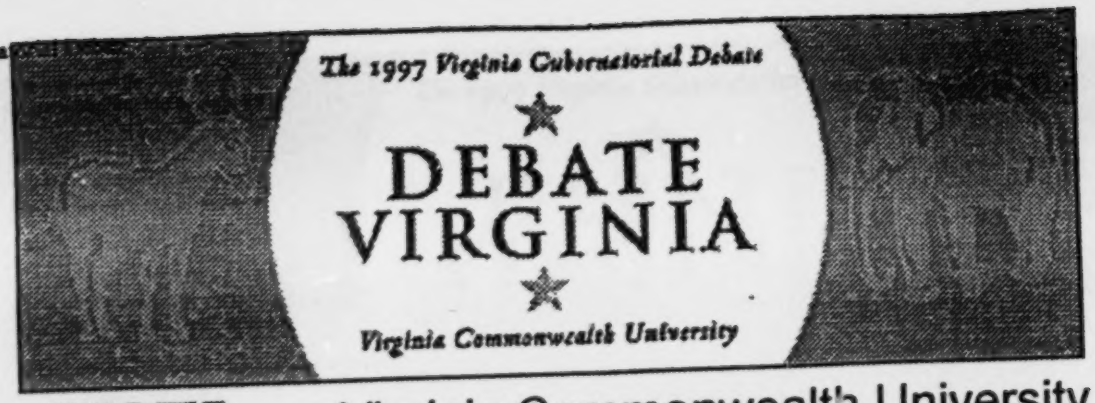
53. Dr. Eugene P. Trani letter dated October 24, 1997 to Sue Harris DeBauche . . . 102

D. DEBATE NEWS STORIES

54. Richmond-Times Dispatch: Wilder Holds Election Wild Card 103

55. Richmond-Times Dispatch article: DeBauche Leads Reform Party Charge 106

56. Richmond-Times Dispatch Editorial Page: She's Right 107



VCU
Virginia Commonwealth University

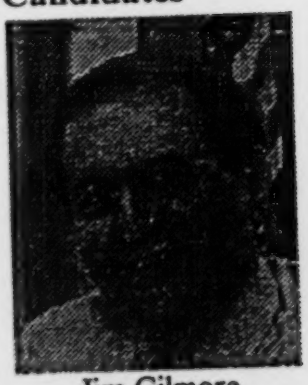
Virginia Commonwealth University

hosted

Virginia's 1997 Gubernatorial Debate
Monday, October 6, 1997

Click on Marquee for more information on the topic displayed.

Check Out the Candidates



Don Beyer

Jim Gilmore

Comments on the Debate
Norfolk Virginian-Pilot
Richmond Times-Dispatch
University News Services
Virginia AP Wire
Washington Post

Press Room
latest releases
archived releases
VCU contacts

Other Campaign News
The Richmond Times-Dispatch
The Washington Post
The Norfolk Virginian Pilot
Allpolitics (joint venture Time and CNN)

More info on the issues
Gilmore and Beyer on the Issues
Virginia Public Access Project

What's New
Visit often...We update regularly

What did you think of the debate?

You've heard from the candidates, now let us hear from you. Submit your comments on the debate here:

Submit

or call it in to **1-800-375-4010**.

Check out the Commonwealth Poll

See who's leading the race.

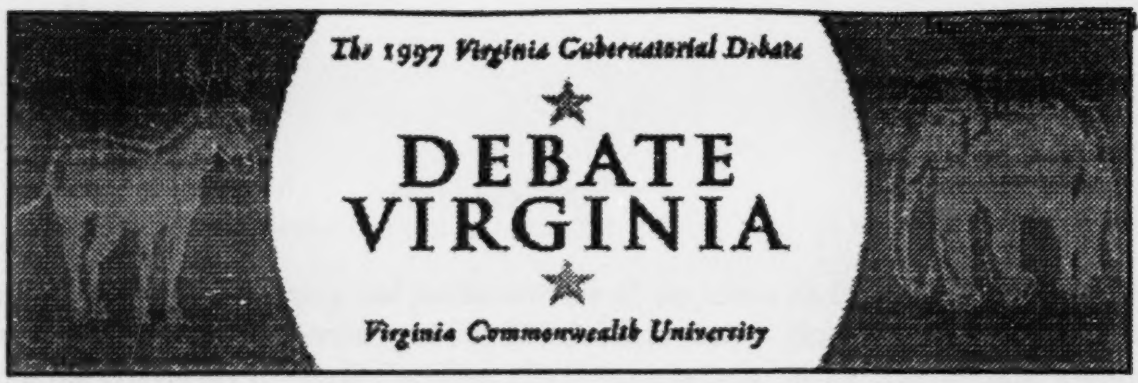
L. Douglas Wilder

Info on debate moderator L. Douglas Wilder, VCU Distinguished Professor and former Governor of Virginia, his positions and opinions.

University News Services
debate@vcu.edu
Date Last Modified: Oct 10, 1997

BEST AVAILABLE COPY

A116



A117

Press Room

Archived Releases

Check here for the prior news releases:

1. VCU TO HOST 1997 VIRGINIA GUBERNATORIAL DEBATE
2. VCU LAUNCHES 1-800 NUMBER, WEB SITE TO DRAW VIRGINIANS QUESTIONS FOR 1997 GUBERNATORIAL DEBATE
3. OCT. 3 DEADLINE SET FOR MEDIA CREDENTIALS FOR GUBERNATORIAL DEBATE AT VCU
4. OCT. 3 DEADLINE NEARS FOR MEDIA CREDENTIALS FOR DEBATE VIRGINIA AT VCU

University News Services
debate@vcu.edu
Date Last Modified: Oct 7, 1997

045

0X4

Debate Virginia Website Press Room (p. 45)
A117

FOR IMMEDIATE RELEASE
September 12, 1997
Contact: Melissa Jones (804) 828-6057
Kyra Scarton Newman (804) 828-6052

VCU TO HOST 1997 VIRGINIA GUBERNATORIAL DEBATE

Former Governor Wilder to Serve as Moderator

A118

RICHMOND, Va. -- Virginia Commonwealth University will host an Oct. 6 debate between Virginia's two gubernatorial candidates: Democrat Donald S. Beyer Jr. and Republican James S. Gilmore III. The debate, moderated by former Gov. L. Douglas Wilder, will be broadcast live from 8-10 p.m. from VCU's Performing Arts Center, 922 Park Ave., during Wilder's regular show on WRVA-AM and by Fairfax-based WNVT-TV in conjunction with public-broadcasting colleague WCVE-TV in Richmond.

The debate will include questions from panelists, direct questioning between the two candidates and a component that features questions culled from issues raised by citizens from across Virginia. VCU is launching a 1-800 number and a World Wide Web site for Virginians to use in submitting questions for the debate.

"This truly will be a debate where the residents of Virginia will get to ask the questions that they want these candidates to answer," said Wilder, a distinguished professor at VCU's Center for Public Policy since 1995. As Virginia's 65th governor from 1990-94, Wilder was the nation's first African-American governor, after having made history with his 1985 election as the state's first African-American lieutenant governor.

The Oct. 6 program is the only scheduled debate between Beyer, currently lieutenant governor, and Gilmore, who stepped down as attorney general earlier this year to concentrate on the campaign. With Election Day set for Nov. 4, the Virginia race is one of only two gubernatorial campaigns in the nation this year.

Joining Wilder as panelists will be Robert D. Holsworth, Ph.D., a VCU political scientist and director of the university's Center for Public Policy, and Larry Sabato, Ph.D., a political analyst from the University of Virginia. Both Holsworth and Sabato are quoted regularly in the national media for their insight on state, regional and national political issues.

Wilder already has begun drawing questions from Virginians through announcements on his weekly radio show, which airs on WRVA-AM on Mondays at 8 p.m. To submit their questions, Virginians can call 1-800-375-4010 or send e-mail to debate@vcu.edu.

"As we have planned for this debate, we have searched for ways for people from every corner of Virginia to easily put their questions on the table for these two candidates," Wilder said. "I encourage Virginians to take advantage of our Web site and 1-800 number to get their voices heard."

A VCU faculty member since 1978, Holsworth has directed VCU's Center for Public Policy, an interdisciplinary research, teaching and public-service center, since its founding in 1994. He teaches courses in Virginia politics, American politics and political theory. Holsworth earned his doctoral degree from the University of North Carolina. His honors include the highest teaching awards from both VCU and the State Council of Higher Education for Virginia.

046

05

Sabato is the Robert Kent Gooch Professor of Government and Foreign Affairs at the University of Virginia, which he joined in 1978. He is a former Rhodes Scholar and Danforth Fellow. After earning his undergraduate degree from UVa., Sabato did graduate work in public policy at Princeton University's Woodrow Wilson School of Public and International Affairs. He received a Rhodes Scholarship in 1975 to study at Queen's College, Oxford University and a SCHEV outstanding faculty award.

NOTE: All media must be credentialed for the debate as well as parking. Please call Pamela C. Lippincott, of VCU's University News Services, at (804) 828-1231.

# # #

A119

047

FOR IMMEDIATE RELEASE
September 16, 1997
Contact: Kyra Scarton Newman (804) 828-6052
E-mail: knewman@titan.vcu.edu

VCU LAUNCHES 1-800 NUMBER, WEB SITE TO DRAW VIRGINIANS' QUESTIONS FOR 1997 GUBERNATORIAL DEBATE

RICHMOND, Va. - Virginia Commonwealth University has launched a toll-free telephone number and World Wide Web site to draw questions that Virginians want asked during the 1997 debate between Virginia's two gubernatorial candidates. VCU will host the Oct. 6 debate between Democrat Donald S. Beyer Jr. and Republican James S. Gilmore III. Former Virginia Gov. L. Douglas Wilder will serve as moderator.

A120

To submit their questions, Virginians can call 1-800-375-4010. They also can propose questions while visiting the debate Web page at www.vcu.edu/debate/. Since the Web page debuted on Sept. 10 through this morning (Sept. 16), about 500 people have accessed the site, and voters are beginning to forward questions for consideration.

The citizen questions will serve as one component of the debate, currently the only one scheduled between Beyer, the state's lieutenant governor, and Gilmore, the former attorney general who stepped down to concentrate on the campaign. Other portions of the Oct. 6 debate will include questions from panelists and direct questioning between the two candidates.

Wilder stressed that the questions submitted by Virginians will provide a real-world picture of the issues that citizens want their future governor to address. "By asking for comments from citizens across the state, we can have a true discussion that will give Virginians insight about the future leader of Virginia," said Wilder, a distinguished professor at VCU's Center for Public Policy since 1995. "Virginians should embrace this opportunity to put real questions on the table. A democracy needs to engage everyone in the political process, and we have taken this responsibility to heart in developing a debate format that relies on citizen involvement for its success."

The debate will be broadcast live from 8-10 p.m. Oct. 6 from VCU's Performing Arts Center, 922 Park Ave., during Wilder's regular show on WRVA-AM and by Fairfax-based WNVT-TV in conjunction with public-broadcasting colleague WCVE-TV in Richmond.

As Virginia's 65th chief executive from 1990-94, Wilder was the nation's first elected African-American governor. He also made history with his 1985 election as the state's first African-American lieutenant governor.

Joining Wilder as panelists for the debate will be Robert D. Holsworth, Ph.D., a VCU political scientist and director of the university's Center for Public Policy, and Larry Sabato, Ph.D., a political analyst from the University of Virginia.

Wilder already has begun soliciting questions from Virginians through announcements on his weekly radio show, which airs on WRVA-AM on Mondays at 8 p.m.

NOTE: All media must be credentialed for the debate as well as parking. Please call Pamela C. Lippincott, of VCU's University News Services, at (804) 828-1231.

051

October 6, 1997
Contact: Bill Byrd or Brian Matt (804) 828-1231
E-mail:bmatt@saturn.vcu.edu
http://views.vcu.edu/uns/

VIRGINIANS POSE WIDE RANGE OF QUESTIONS FOR BEYER-GILMORE DEBATE AT VCU

RICHMOND, Va. -- As Virginia's 1997 election for governor approaches, Virginians are keenly interested in the major issues raised by the candidates: taxes, education, abortion, crime and the environment.

A121

But citizens also want to know the contenders' positions on many issues given little attention during the campaign or not addressed by the candidates. Voters would like to see the candidates questioned closely on a broad array of controversial topics such as urban sprawl, gay rights, affirmative action, child support enforcement and campaign finance reform.

Those were among the issues raised by citizens who submitted more than 400 questions to Virginia Commonwealth University in advance of tonight's gubernatorial debate. VCU hosted the debate between Democrat Donald S. Beyer Jr. and Republican James S. Gilmore III. For more than three weeks the university accepted questions for the gubernatorial contenders via e-mail and a toll-free telephone number. Inquiries drawn from these messages made up one section of questioning for the candidates at the debate.

Questions were submitted from across the state -- from the coal mining towns of Southwest Virginia to the rural communities of the Eastern Shore, from the densely populated urban areas of Northern Virginia to the tobacco farms of Southside Virginia. Retirees had questions about problems with Social Security and the cost of living. High school government students in Franklin and Floyd counties had inquiries, including one on the candidates' position on a cigarette tax hike to combat teen smoking.

"The thoughtfulness and insightfulness of these questions reveal that Virginians truly care about the future leadership of the Commonwealth, and what it will mean for their families and them," said former Gov. L. Douglas Wilder, now a distinguished professor at VCU's Center for Public Policy. Gov. Wilder moderated tonight's debate, and in advance of it he challenged Virginians to put their questions directly to the two major-party candidates.

Hundreds responded. VCU received more than 250 questions via e-mail from voters who visited the university's Debate Virginia site on the World Wide Web. More than 150 submitted questions through the toll-free number. Respondents had the option of noting their names and localities along with their questions.

"I'm impressed by the volume of questions and by the caliber of knowledge that citizens have about the issues now facing Virginia," Wilder said. "These questioners raised some very real issues -- including many that haven't been fully addressed by the candidates. That will add extraordinary value to this debate."

Many of the questions dealt with taxes, the issue that has emerged as the centerpiece of the campaign. Citizens made inquiries about both Gilmore's plan to abolish the property tax on most cars and trucks and Beyer's proposal to offer income tax credits to many Virginia families.

But others expressed skepticism over the tax cut plans and wondered if any substantial decreases were possible. "You don't get something for nothing," one caller said. "The budget's not going to go down

Some wanted to know the candidates' positions on other tax issues that have not been in the campaign's limelight. "Is there a possibility that the sales tax on food and over-the-counter medicine can be repealed?" one caller asked.

Just as it has been a prime focus of the campaign, education was another leading topic among the respondents. Several citizens sought the candidates' positions on using state lottery profits for public schools. "Every year we get money back in state tax refunds, and it just seems very odd to me that we'd be able to get a refund, yet we don't seem to see any of our lottery money going into our children's education," one questioner said.

Other questioners raised topics that have received relatively little attention from the campaign. Some respondents urged the candidates to take more definite positions on affirmative action and other racial discrimination issues. "I want a definite yes or no (on affirmative action) and the reasons why and how the candidates will pursue it," said one Henrico County voter. "I know it's a federal issue and the state of California has just done away with it (but) I want to know how they feel about it with regard to Virginia." And another caller wanted to know if the candidates would refuse memberships in discriminatory private clubs.

Respondents were concerned about a variety of issues affecting families, including enforcement of court-ordered child support payments. "How will you help the 400,000-plus children in the state that are due child support and not receiving payments," said one Danville resident.

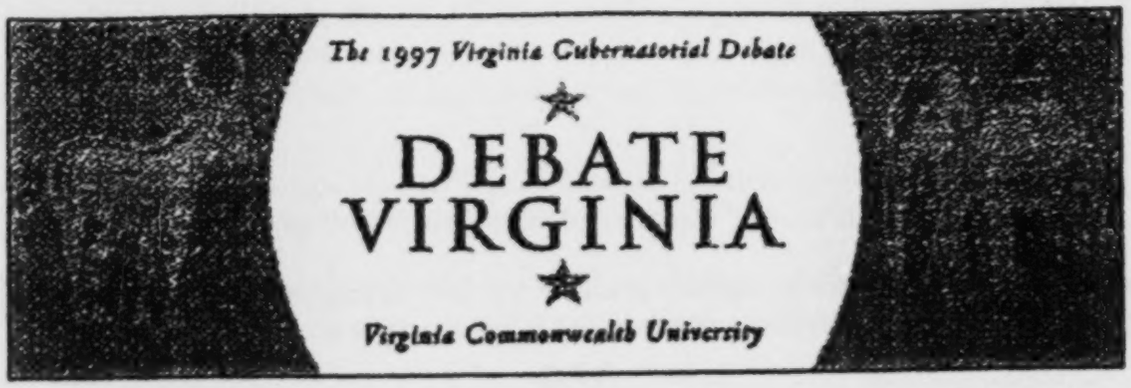
Others wanted to know the candidates' position on homosexuals' rights. "The gay civil rights movement is hard to ignore and may soon be a Virginia issue. What are your policies concerning gay/lesbian rights, and how do you see those translating into policy?" one questioner said.

Other respondents wondered just how much either candidate knew about the concerns of average voters. One wanted to know if either could cite the price of a dozen eggs or a gallon of milk.

"In addition to specific questions, we were able to use broad themes from our inquiries," said Robert D. Holsworth, a VCU political scientist who was one of the panelists in tonight's debate. "Many of the questions were similar; therefore, we were able to take the essence of these questions and combine them." Holsworth is director of the university's Center for Public Policy.

Voters can continue to submit comments on the debate or the campaign by calling 1-800-375-4010 or by accessing VCU's Web site at http://www.vcu.edu/debate. E-mail can be sent directly to debate@vcu.edu.

###



A123

University News Services

Debate Virginia '97 Reflects Teamwork Across University

Five thousand feet of coaxial cable. Ninety reporters and photographers. An organ and a harpsichord occupying space needed by deadline-pressured media. Ten satellite and microwave trucks. Five hundred guests sharing a building with a rehearsal for "The Three Musketeers."

The possibilities for problems were numerous. Yet Debate Virginia went smoothly at Virginia Commonwealth University's Performing Arts Center on Oct. 6, thanks to weeks of planning, hard work and patience. From the pre-debate reception at the University Student Commons to impromptu post-debate news conferences on the center's stage, the event went smoothly, drawing praise from campaign staffers, guests and even reporters.

At the conclusion of the event, moderator L. Douglas Wilder thanked VCU "for providing this forum. More Virginians heard this debate than any debate, in my judgment, in Virginia's history."

The former governor said he hoped the event would help convince people to vote. "Don't believe that you can't make a difference. Because you can. And accordingly, go out and vote."

Weeks of Planning

Planning for the debate was spearheaded by VCU's Center for Public Policy and Wilder, now a distinguished professor with the center. In addition to serving as moderator of the debate, Wilder is also credited with convening Debate Virginia; earlier this year he invited both candidates to appear on his Monday night radio show to foster a dialogue between the contenders and voters.

Administrators and staff members from across the university, including leadership from the Office of the President, managed the daily execution of the event.

Details covered everything from the sound system to parking, from tickets and a student lottery to coordinating the debate format with the two campaigns. The entire event was coordinated under the theme of Debate Virginia, which was carried through visually in everything from the stage backdrop to the programs.

Media Coverage

Almost 90 journalists, representing everything from the one of the nation's largest magazines to university radio news operations, attended the event.

059

From early interviews with Gov. L. Douglas Wilder and live segments with panelist Robert D. Holsworth for newscasts that began as early as 4 p.m., television news crews from around the state and Washington, D.C., parked almost a dozen satellite and microwave trucks bumper-to-bumper in front of the debate venue.

Another flash of lights lit up the Performing Arts Center after the debate, as television reporters delivered live coverage for their late broadcasts, including a few with reports directly from the stage just moments after Wilder signed off on the debate.

Print and radio journalists crowded the second-floor media rooms. Most wrote their stories on portable computers while watching television monitors; a smaller number viewed the proceedings from the nearby auditorium.

A124

Among those attending were Michael Barone, a Washington-based editor for the Reader's Digest. He also is an editor of the Almanac of American Politics, a reference book published every two years and popular with journalists. A delegation from The Washington Post was on hand, as were representatives of the Washington Times, Norfolk Virginian-Pilot, Richmond Times-Dispatch and smaller dailies across Virginia.

Conditions were crowded, but one reporter compared VCU's facilities favorably to those at a presidential debate he had attended in Lansing, Mich.

Transforming Campus

The event drew heavily on two principal facilities: the University Student Commons for a reception before the debate, and the Performing Arts Center, which hosted the debate.

At the Performing Arts Center, concert hall manager Curt Blankenship coordinated faculty and student schedules for both the venue and a series of practice rooms that were called into service for candidates' workrooms, media rooms and other details.

"Because classes and rehearsals are so time-oriented, altering schedules can potentially cause problems. It can be especially hard for students who normally practice in rooms with large ensembles, such as the organ, which they can't relocate to practice," Blankenship said.

"Though we ran into some frustrations during the planning process," he added, "I credit faculty, staff and students for cooperating with us and allowing this event to go off."

Almost daily, Blankenship helped coordinators review event plans on-site to ensure preparations were set for debate night. A relative newcomer to VCU, Blankenship drew on his special-events background to assist in stage set-up, lighting and sound systems.

Technical Support

From Wilder's invitation to Democrat Donald S. Beyer and Republican James S. Gilmore III, the debate quickly drew the attention of public television colleagues WCVE and WNVT, which agreed to produce the event for live coverage. Six television cameras - including four on-stage - captured each moment of the debate, which was broadcast live in every major television market in the state.

University News Services also partnered with the Medical College of Virginia Hospitals' Office of Marketing and Planning to produce a 90-second video about the university that aired during a break

Debate Virginia University News Services
"Debate Virginia '97 Reflects Teamwork Across University" 10/10/97 (p. 59-61)
A124

at the debate's midpoint.

News crews needed access for their coverage, so David Van Nest, director for media support services, helped to supervise and design the event's audio, visual and lighting aspects. Backstage Inc. lent its expertise in running the lighting and sound systems during the debate.

Other communications in the facility also were needed, including banks of telephones in the campaign suites and media rooms, along with facsimile machines and computer hookups. Van Nest's team also installed almost a dozen monitors throughout the building to bring the debate directly into the camps' temporary headquarters in the basement and the second-floor media rooms.

"From my technical vantage-point, I feel it went well," he said. "Up to the last minute, we had large and small changes with set-up and equipment, but I feel we planned enough ahead of time, which helped make things run smoothly."

Simultaneously in the final days, Facilities Management worked almost round-the-clock, setting up tables and chairs, podiums, banners and tents. Nearly 16 crew members were involved in installing a 1,000-kw generator for emergency power.

"Crew members worked 18-hour days preparing for the event and disassembling everything after it was over," said Dan Grenoble, supervisor for general services in the Facilities Management Department. "The crew worked long after the debate was over, bringing the building back to normal so that classes could start at 8 a.m. on Tuesday."

Access for Virginians

Wilder also was keenly interested in generating citizen involvement in the debate, so VCU agreed to launch both a World Wide Web site and a 1-800 telephone number. These outlets allowed citizens to submit potential debate questions.

While the high-tech forums increased citizen access to the debate, both required regular maintenance. "You can't create a Web site and let it sit there," said Ken Guyre, VCU Webmaster. "You need to update it regularly. For this site, we sometimes made changes or additions to it five times a day."

Guyre's expertise was called on for the creation and maintenance of the Web page, which by presstime had drawn more than 2,750 hits. In addition to simply checking out the site, more than 350 Web surfers posted questions for the candidates via the site's confidential form. The site included links to the candidates' Web pages, in addition to news releases, information about the former governor and a summary of the contenders' views on the issues.

The 1-800 number captured about 175 questions for the candidates in advance of the debate.

On Oct. 6, VCU Telecommunications arranged to have the number switched to live student operators to accept calls during the first half of the debate. Those queries were dispatched to the panelists on stage for use in the second half of the debate.

University News Services' Cari Brunelle, Bill Byrd, Brian Matt, Pamela C. Lippincott, Erin Lucero, Kyra Scarton Newman and Tyler Scott contributed to this report.

University News Services
debate@vcu.edu
Date Last Modified: Oct 10, 1997

061

A125

LAURENCE DOUGLAS WILDER

April 7, 1997

Dear Jim,

I extend to you on behalf of station WRVA, Virginia's largest radio station (50,000 watts) with extended coverage in 38 states, an opportunity to discuss the issues in the 1997 Gubernatorial Campaign. I do so with the understanding that both of you are interested in reaching the widest possible audience so as to adequately inform the electorate of your views.

I propose to have Dr. Robert Holsworth of Virginia Commonwealth University and Dr. Larry Sabato of University of Virginia, both eminent political scientists, moderate the forum and to propound questions to each of you. I would like to facilitate the event by eliciting calls from the radio audience so that there might be direct participation by the audience. Too often we have witnessed debates being taken over by media types who may or may not raise concerns which are of genuine interest to the people.

I would look to hear from you via your representatives relative to arrangements, etc. We would vouchsafe for impartiality and fairness. We would be assured of prime time coverage on any Monday night, 8-10 p.m. and would likewise make arrangements for same to be aired statewide on public television. channels and any other media interested. We feel that you should have sufficient impute for so formulating.

Looking forward to hearing from you with confirmation of the concept with the concrete details to be agreed upon.

A126

Very Truly Yours,

Laurence Douglas Wilder

072

073

G0053

Wilder 4/7/97 letter to Candidate Gilmore* (p. 73)
A126

Virginia Commonwealth University

CENTER FOR PUBLIC POLICY
SCHERER HALL
923 W. FRANKLIN STREET
P.O. BOX 842028
RICHMOND, VIRGINIA 23284-2028

804 828-4971
FAX: 804 828-7463
TDD: 1-800 828-1120

DISTINGUISHED PROFESSOR
L. DOUGLAS WILDER

July 7, 1997

A127

Gentlemen:

This will confirm that negotiations have concluded relative to the date, time and place of the proposed gubernatorial debate, jointly sponsored by WRVA, WNVT and affiliates and VCU. The date agreed upon by all parties involved is October 6th at the Performing Arts Center at Virginia Commonwealth University. The time of the debate is 8-10pm. Dr. Robert Holsworth and Dr. Larry Sabato will be moderators along with a representative of the public broadcasting stations; I will be handling calls from the radio audience.

We will follow up details reference to a reception, numbers of tickets allotted participants and guests of the University, etc. as soon as the committee has fleshed out these details they will be forthcoming to you.

This promises to be as widely covered debate as we have had in the Commonwealth, and we look forward to the occasion.

Sincerely,

L. Douglas Wilder

cc: Don Beyer
Bill Bowman
Jim Gilmore
Dr. Holsworth
Roger McIntosh
Dr. Sabato
Dr. Trani

An Equal Opportunity/Affirmative Action University

G0083

VCU/Wilder 7/7/97 Co-sponsorship letter* (p. 84)
A127

NORTHERN
VIRGINIA'S
PUBLIC
BROADCASTING

WNVT-WNVC
8101A Lee Highway
Falls Church, Virginia 22042

703/698-9682
FAX 703/849-9796

WNVC
Fairfax/Washington

WNVT
Goldvein/Fredericksburg

WCVE
Richmond

WCVW
Richmond

WCVE FM
Richmond

WHTJ
Charlottesville

Central Virginia
Educational
Telecommunications
Corporation

July 16, 1997

The Honorable L. Douglas Wilder
Virginia Commonwealth University
Scherer Hall
923 W. Franklin Street
Richmond, VA 23284-2028

Dear Gov. Wilder:

With the change in date and location of the gubernatorial debate which is now set for Oct. 6th at the VCU Performing Arts Center, there is a necessary realignment of television broadcast schedules. As of this date here is where we stand with the television broadcast of the program:

WNVT - Northern Va.	will air live
WCVE - Richmond	will tape delay to 10 PM
WHTJ - Charlottesville	will tape delay to 10 PM
WBRA - Roanoke, Marion, Norton	is considering tape delay to 10 PM

WHRO - Hampton Roads, with the approval of you and WRVA, will seek to have the cable access channels in their broadcast area carry the program live as we feed it down the microwave. If this is done, you would then have live call-ins from Richmond, Northern Va. and Hampton Roads.

There is a PBS programming conflict on two counts. First, that evening at 8 PM is the scheduled time for the broadcast of the last of three parts of the biography of Harry S. Truman; and second, this program is part of a core feed agreement which stations have entered into with PBS to insure national coverage.

G0006

A128

Central Virginia Public Broadcasting will provide the remote television facilities and the microwave feed. We must depend upon WRVA to arraign for listener call-in telephone service and to provide TV with a suitable audio feed. Will VCU provide set lighting and remote truck power and parking?

Mr. Bill Bowman will produce the program for TV and will be responsible for coordination with your office and our technical support staff. Bill will be contacting you in the near future to initiate planning for the event. Thank you for thinking of public TV and providing this opportunity to serve the needs of the people.

Sincerely yours,

Roger A. McIntosh

cc: Bill Bowman, VCPT
Dr. Sydnor, CVETC
Dave DeBarger, CVETC
Mike Baker, WNVT
Marge Meyer, CVETC
Mary Pruess, WHRO

A129

G0007

086

WNVT-TV 7/16/97 letter (pp. 85-86)
A129

Virginia Commonwealth University

CENTER FOR PUBLIC POLICY
SCHERER HALL
923 W. FRANKLIN STREET
P.O. BOX 842028
RICHMOND, VIRGINIA 23284-2028

804 828-4971
FAX: 804 828-7463
TDD 1-800 828-1120

DISTINGUISHED PROFESSOR
L. DOUGLAS WILDER

September 4, 1997

The Honorable James S. Gilmore
Gilmore for Governor
PO Box 18071
Richmond, Virginia , 23226

A130

Dear Jim:

We are looking forward to your participating in the gubernatorial debate to be held on Monday, October 6 at the Performing Arts Center at Virginia Commonwealth University from 8:00 p.m. to 10:00 p.m. It promises to be an exciting evening and one that will be very important to the citizens of the Commonwealth.

Since receiving confirmation of your participation, we have been moving on a number of fronts to ensure that the debate proceeds smoothly. I have consulted with the panelists (Drs. Bob Holsworth and Larry Sabato) and developed a format for the debate that is outlined on the attached sheets. I have been working to ensure that the debate receives widespread coverage throughout the Commonwealth on television and radio. We now have a number of public, commercial and cable stations lined up to televise and broadcast the event. We also expect CSPAN to provide a national audience for the debate. Finally, I have convened a committee here at VCU to work on all the debate's logistical details and to coordinate with the television and radio folks.

At this point, it would be helpful if you could fax me (828-7463) in the next day or two the name and number of the person who will be leading your debate coordination team. We will want to speak with them and send them the final details of the debate's format. We also want to make sure that they will be able to view the facility and to meet with key members of the VCU committee and the television producers to ensure that you will be comfortable with the setting and the arrangements.

Again, let me thank you for your participation. I am certain that the debate will be of great value to the voters.

Sincerely,

L. Douglas Wilder
Distinguished Professor

050

091

G0013

VCU/Wilder 9/4/97 letter to Candidate Gilmore with arrangements addendum* (pp. 91-93)
A130

Coin Flip:

A coin flip to determine the order in which the opening and closing statements are given and the order in which questions are addressed will be held with representatives of the candidates on Friday, October 3 at Virginia Commonwealth University. (Time and place to be arranged.)

Time and Location:

The debate will be held at the Virginia Commonwealth University Performing Arts Center on Monday evening, October 6, from 8:00 to 10:00 p.m. A reception will be held for the candidates and ticketholders at 6:00 p.m. at the Virginia Commonwealth University Student Commons.

Staging:

Candidates will be on the Performing Arts Center stage behind podiums. The candidates will be next to one another. The moderator will be located to the side of the candidates and the panelists will be seated on the side of the stage.

Television/Radio Coverage:

The station lineup for the debate as of today is listed at the end of this document. You will be informed of any additions to the lineup as these arise.

Format:

Welcome- Dr. Eugene Trani, President, Virginia Commonwealth University (90 seconds)

Introductions-Former Governor L. Douglas Wilder (90 seconds)

Opening Statements by Candidates-(90 seconds each)

Part One-

Questions of the candidates asked by the two panelists, Drs. Bob Holsworth and Dr. Larry Sabato. Time will be allotted for questions, answers, rebuttals, and a response to the rebuttal.

Part Two-

Questions directed by the candidates to one another. Time will be allotted for the question, the response, the rebuttal, and the response to the rebuttal.

VCU/Wilder 9/4/97 letter to Candidate Gilmore with arrangements addendum* (pp. 91-93)
A131

Part Three

Questions asked by the panelists drawn from those submitted prior to the event on a debate web page that will be created and during the event on a 800 call-in number that viewers and listeners can use. Time will be allotted for the response, the rebuttal, and the response to the rebuttal.

Final Statements by Candidates

90 seconds each.

**** There will be a 2 minute and 5 second break for station identification purposes at 8:57 p.m.

Ticket Arrangements:

Candidates will each receive 30 tickets for the debate. Candidates will able to bring 10 members of their staffs to the debate who will be able to watch the event in a room in the Performing Arts Center. Virginia Commonwealth University will distribute the remainder of the tickets in a manner that will prevent a partisan imbalance in the audience. In addition, there will be strict regulations governing audience behavior and strict enforcement of the regulations by the moderator.

VCU/Wilder 9/4/97 letter to Candidate Gilmore with arrangements addendum* (pp. 91-93)
A132

Virginia Commonwealth University

CENTER FOR PUBLIC POLICY
SCHAFER HALL
923 W. FRANKLIN STREET
P.O. BOX 842028
RICHMOND, VIRGINIA 23284-2028

804 828 4971
FAX: 804 828-7463
TDD: 1-800 828-1120

DISTINGUISHED PROFESSOR
L. DOUGLAS WILDER

17 September 1997

The Honorable James S. Gilmore
Gilmore for Governor
PO Box 18071
Richmond, Virginia, 23226

Dear Jim:

Thanks for your letter about the upcoming debate and the names of the individuals who will be working with you on the event. From all that I am hearing. enthusiasm about the debate is increasing every day.

I have been working with the panelists, with the committee at VCU, and with the radio and television stations to ensure that the debate runs smoothly and provides Virginia's citizens with information that will be helpful to their choice on November 4th. At this point, I would like to invite both campaigns to participate in ironing out the final details.

First, it would be useful if your debate coordinator and/or the people who will be assisting him meet with key members of the VCU committee and representatives of the television and radio stations to view the Performing Arts Center. to see our staging arrangements, and to tour the facilities that will be available to you and your staff the evening of the event. We would like to arrange this meeting dealing with the staging and logistics of event on **Monday, September 22nd at 2 p.m. at the VCU Performing Arts Center at 922 Park Avenue on the VCU campus.** Please have someone from your staff call Ms. Meg Price. co-chair of the VCU committee and Executive Assistant to the President, at 828-1200 with the names of the individuals who will be attending the meeting. Ms. Price will ensure that the appropriate people from VCU and broadcast media will be there to answer your questions and take down any concerns that your debate coordinators may have.

Second, we are currently preparing a more detailed version of the format that was sent in my previous letter to you. We hope to get this version to you by early next week so that we can receive feedback from the campaign by the end of the week.

G0041

VCU/Wilder 9/17/97 letter to Candidate Gilmore* (pp. 96-97)
A133

The debate promises to be an exciting event that will be a highlight of the campaign. Thanks for your cooperation in providing this opportunity to the voters of Virginia.

Sincerely,

L. Douglas Wilder
Distinguished Professor

A134

VCU/Wilder 9/17/97 letter to Candidate Gilmore* (pp. 96-97)
A134

Virginia Commonwealth University

CENTER FOR PUBLIC POLICY
SCHEPER HALL
923 W. FRANKLIN STREET
P.O. BOX 842028
RICHMOND, VIRGINIA 23284-2028

804 828-4571
FAX: 804 828-7463
TDD: 1-800 828-1120

DOUGLAS PROFESSOR
L. DOUGLAS WILDER

24 September 1997

Lieutenant Governor Don Beyer
Beyer for Governor
1004 N. Thompson Street
Richmond, Virginia, 23230

A135

Dear Don:

Thanks for sending Alan Albert and Susan Platt to meet with Ms. Meg Price and other members of the VCU committee about the staging and logistics of the debate. I am very glad that we were able to reach a good agreement on the setup and other logistical details.

I have attached to this letter the format that we intend to use for the debate. It includes questions composed by the panelists and questions that will be drawn from the 1-800 number and the website that has been created for the debate. The format also includes an opportunity for the two candidates to question one another directly. I think that it is a lively format will keep both the viewers and the audience engaged. More importantly, I believe that it is a format that will benefit the citizens of the Commonwealth by providing an unparalleled opportunity for them to see the candidates discussing the issues that are facing Virginia.

If you or your staff have any questions about the format, please fax these to me at 828-7463. Please do this by the close of business on Monday, September 29, so that we can make the decision about any final adjustments by the middle of the week. We will be setting up a coin flip on Friday, October 3 and, at that time, we will iron out any last minute logistical details that may arise.

Once again, thank you very much for your cooperation. I am looking forward to seeing you on October 6.

Sincerely,

L. Douglas Wilder

VCU/Wilder 9/24/97 letter Candidate Beyer with format addendum* (pp. 100-103)
A135

INTENDED FORMAT:

Introductions: 8:00 p.m.-8:04

8:00- Program Introduction- Radio and Television (60 seconds)

8:01 - Welcome- Dr. Eugene Trani, President, Virginia Commonwealth University (90 seconds)

8:02.30 -Candidate and Panelist Introductions and Statement of Rules-Former Governor L. Douglas Wilder (90 seconds)

Opening Statements: 8:04-8:07

8:04- Candidate 1 (C1)-(90 seconds)

8:05:30 Candidate 2 (C2)- (90 seconds)

Round One: Panelists Question the Candidates: 8:07-8:57.55

1. Designation of Candidates and Panelists.

The panelists will be designated Panelist 1 (P1) and Panelist 2 (P2). The candidate who makes the first opening statement will be Candidate 1 (C1) and the candidate who makes the second opening statement will be Candidate 2 (C2)

2. Format

A. Question (30 seconds)

B. Response (90 seconds)

C. Rebuttal (60 seconds)

D. Surrebuttal (30 seconds)

3. Order in which the initial question will be posed during the round.

P1 to C1, P2 to C2, P2 to C1, P1 to C2, and repeat until time expires

Break: 8:57:55-9:00

A136

Round Two: Candidates Question Each Other: 9:00-9:28

1. Format

A. Question (30 seconds)

B. Response (90 seconds)

C. Rebuttal (60 seconds)

D. Surrebuttal (30 seconds)

2. Order of questions

The candidate who was the **respondent** to the final question in Round One will **ask** the first question in this segment of the debate and the questions will then alternate between the candidates until time expires.

Round Three: Candidates Answer Questions Posed by the Citizens of the Commonwealth and Drawn by the Panelists From the Website and the 1-800 Number. 9:28-9:54

1. Format

A. Question (30 seconds)

B. Response (90 seconds)

C. Rebuttal (60 seconds)

D. Surrebuttal (30 seconds)

2. Order of Questions

The candidate (either C1 or C2) who asked the last question in Round Two will respond to the initial question in this segment of the debate. Panelists (P1 and P2) will then ask questions according to the order outlined in Round One until time expires.

Final Statements: 9:54-9:57

C1 (90 seconds)

C2 (90 seconds)

061

A137

Closing: 9:57-9:58

Governor Wilder (30 seconds)

Television and Radio Fade Outs

Additional Matters:

1. Candidate Designation-A coin flip will be held on Friday, October 3 at Virginia Commonwealth University. The winner of the coin flip will choose whether he wants to be designated as C1 or C2. The candidate who makes the first opening statement will also make the first final statement. The candidate who makes the second opening statement will make the second final statement.

2. Timekeeper- A timekeeper will be located on the stage and will utilize color coded signs to indicate the amount of the allotted time that is left when a candidate is speaking. The signs will indicate 60 seconds, 30 seconds, and 15 seconds.

3. Audience Rules- The audience will be informed before the debate and will be instructed by the moderator at the beginning of the debate that applause and other displays of support and disapproval are not permitted. The moderator will also inform the audience that he retains the right to take away time from the candidate whose supporters engage in such behavior.

4. Moderator- The moderator will ensure that the rules of the debate are followed and that it proceeds smoothly.

A138

062

VCU
Virginia Commonwealth University

Office of the President
President's House
910 West Franklin Street
P.O. Box 842512
Richmond, Virginia 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

September 26, 1997

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street, Suite 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manager
Gilmore'97
4914 Fitzhugh Avenue, Suite 202
Richmond, Virginia 23230

Dear Susan and Bryan:

I enjoyed meeting with you to discuss the logistics of *Debate Virginia* and am looking forward to continuing to work with you on this important program for the candidates and for Virginia Commonwealth University.

The enclosed rough sketch of the stage set-up in the Performing Arts Center has been reviewed and approved by the appropriate individuals. I am forwarding it to the representatives of WCVE Channel 23 and WRVA as well as the members of the VCU committee handling internal arrangements so that we can proceed with lighting and sound.

As we agreed, a timekeeper will be added to the stage in full view of both candidates and a color-coded card system for timing the responses will be utilized.

I look forward to hearing from you on additional issues regarding the debate. Thank you.

Sincerely,

Mrs. Meg Fontaine Price
Executive Assistant to the President
and Board of Visitors
Co-Chair, *Debate Virginia*
Committee

G0037

A139

VCU/Trani 9/26/97 letter to Candidate Campaign Managers (pp. 108-109)
A139

emj

attachment

copy: Mr. David M. DeBarger, Director of Creative Services, WCVE
Mr. John Francioni, Chief Engineer, WRVA
Debate Virginia Committee
The Honorable L. Douglas Wilder, Distinguished Professor,
Virginia Commonwealth University

A140

G0038

VCU/Trani 9/26/97 letter to Candidate Campaign Managers (pp. 108-109)
A140

VCU
Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

October 1, 1997

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street, Suite 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manager
Gilmore'97
4914 Fitzhugh Avenue, Suite 202
Richmond, Virginia 23230

A141

Dear Susan and Bryan:

Please accept my thanks again for working with us at Virginia Commonwealth University regarding planning for *Debate Virginia*. Listed below are several items for your information:

- On Friday, October 3, at 3:00 p.m. we will hold a coin toss to determine which candidate will speak first in the opening remarks for *Debate Virginia*. The coin toss will be held on the stage of the Performing Arts Center. A name will be drawn to determine which campaign makes the call. The winner will select one of the following options:
  - *C1*: the candidate who speaks first in the opening remarks will speak first in the closing remarks;
  - *C2*: the candidate who speaks second in the opening remarks will speak last in the closing remarks.

- Since we have not heard about campaign preferences for Green Room assignments, podium assignments, and seating location for the candidates' guests, we will follow the coin toss with another flip of the coin to determine these assignments. I will flip the coin in both cases.

- As I am sure you can appreciate, tickets for the debate are in extremely high demand, and we are still able to allot only 30 per campaign. Included in the 30 tickets are those for family members. Please let us know as soon as possible which family members will be attending and their ticket preferences, and we will be pleased to place reserved signs on their seats.

- We also will be happy to credential up to 15 staff members for each campaign. We will need the names of the staff members to be credentialed as soon as possible.

VCU/Trani 10/1/97 letter to Candidate Campaign Managers (pp. 112-113)
A141

- I would like to alert you that for academic reasons, we are unable to close the entire basement of the Performing Arts Center for the day. We will, however, make the Green Rooms available at 1:00 p.m. with a VCU security guard stationed outside each door to ensure that the campaign staffs have access. At 5:00 p.m., all access to the part of the basement that we will be using will be closed except to the campaign and VCU staff who have credentials. The other portion will be blocked off for a dress rehearsal taking place that evening.

- I would like to follow-up to a question that we have been asked regarding how cameras will be used during the debate. I spoke with the director of the program, and he indicates that there will be a camera directly in front of each candidate during the entire debate. A red light will come on whenever a candidate is on the air. The director will switch cameras between the candidates according to who is speaking. There will be other cameras in the auditorium as well. The director may switch to another camera when, for example, there is an exchange between the candidates and a shot of both would be best. In any case, it is his philosophy to portray the candidates in the best possible context. Consequently, candidates should be looking into the camera directly in front of them, since he estimates that 90 percent of the time that a candidate is speaking will be on the air.

I hope this information is helpful to you as you prepare the candidates for the debate. Please let me know if you have any questions at this stage. I look forward to seeing you on Friday for the coin flips.

Sincerely,

Mrs. Meg Fontaine Price
Executive Assistant to the President
and Board of Visitors
Co-Chair, Debate Virginia Committee

emj

copy: Governor L. Douglas Wilder

A142

0X2

VCU/Trani 10/1/97 letter to Candidate Campaign Managers (pp. 112-113)
A142

Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE •
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

October 2, 1997

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street, Suite 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manager
Gilmore '97
4914 Fitzhugh Avenue, Suite 202
Richmond, Virginia 23230

Dear Susan and Bryan:

I wanted to inform you of a procedural item for Monday night's debate. I have been advised that candidates should not bring with them to the stage any props, notebooks, or notes. Additionally, they should not wear or display any messages on their clothing. Virginia Commonwealth University will provide paper and pens which will be available on the podium for each candidate.

I also would like to remind you that the 30 people from each campaign that are using the tickets as well as campaign staff are invited to attend a reception at the Student Commons on October 6 beginning at 6:00 p.m.

Please let me know if you have any questions. I look forward to seeing you tomorrow at the coin flips.

Sincerely,

Meg Price

Mrs. Meg Fontaine Price
Executive Assistant to the President
and Board of Visitors
Co-Chair, Debate Virginia Committee

jas

copy: Governor L. Douglas Wilder

G0065

120

0 9

A143

VCU/Trani 10/2/97 letter to Candidate Campaign Managers (p. 120)
A143

Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

October 3, 1997

A144

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street, Suite 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manager
Gilmore '97
4914 Fitzhugh Avenue, Suite 202
Richmond, Virginia 23230

Dear Susan and Bryan:

There are several items that I need to call to your attention at this time.

COIN TOSS

- To determine who will call the first coin toss, a candidate's name will be drawn. The campaign staff member will call "heads or tails." The first coin toss will be to select:

Beyer

C1: The candidate who speaks first in the opening remarks will speak first in the closing remarks.

or

C2: The candidate who speaks second in the opening remarks will speak last in the closing remarks.

An Equal Opportunity/Affirmative Action University

VCU/Trani 10/3/97 letter [#1] to Candidate Campaign Managers (pp. 121-123)
A144

- The opposing campaign staff member will call "heads or tails" for the second coin toss to select:

Bryan
Gilmore

C1: Podium A (refer to attached diagram), corresponding seats for guests and Green Room B-15.

or

C2: Podium B (refer to attached diagram), corresponding seats for guests, and Green Room B-40.

A145

NO USE AGREEMENT

- Both campaigns have agreed to sign a 1997 No Use Agreement. We are asking that both the candidates and the campaign managers sign this agreement.

TIMEKEEPERS

- A decision has been made to have a timekeeper for each candidate. These individuals, provided by Virginia Commonwealth University, will be seated next to the camera in the direct line of sight of each candidate. This decision was based on television production requirements as well as fairness to both candidates.

The timekeepers will use the following color-coded system:

GREEN	60 seconds
BLUE	30 seconds
YELLOW	15 seconds
RED	Time Expired

~~081~~

REQUEST FOR INFORMATION

If you have not already supplied the following information, please call Ms. Sybil Halloran of my staff at 828-1200 as soon as possible:

- *The names of the campaign staff members who need credentials.*

  Security will be stationed at each Green Room. Until the Security person recognizes campaign staff members, we will require both a picture identification and credentials. This is to insure protection for both campaigns.

- *The number of parking spaces needed by each campaign for staff members.*

  Parking passes for guests are provided with the tickets. Once we have this number, we will provide you with parking assignments.

Please feel free to contact me if I may answer any questions.

Sincerely,

Mrs. Meg Fontaine Price
Executive Assistant to the President
and Board of Visitors

jas

A146

Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

October 3, 1997

A147

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street, Suit 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manager
Gilmore '97
4914 Fitzhugh Avenue, Suite 202
Richmond, Virginia 23230

Dear Susan and Bryan:

As a follow-up to earlier conversations, I offer the following:

Notes and Props

- Governor Wilder will not allow props, notes, or note pads at the podiums. We will supply each candidate with a pad of paper and pens.

Credentials for Campaign Staff

- Governor Wilder has agreed to allow 10 more credentialed staff per campaign. Please fax your complete list of 25 staff members to Ms. Sybil Halloran at 828-7532 as soon as possible.

Pre-debate Schedule

- The following is a tentative pre-debate schedule. Once it has been confirmed by the television station, we will fax you verification.
  - *7:44 p.m.* Mr. Gilmore is escorted from his greenroom to the stage. He will walk behind the backdrop on stage, and proceed to his side of the stage (see attached diagram).
  - *7:46 p.m.* Mr. Beyer is escorted from his greenroom to his side of the stage (see attached diagram).
  - *7:48 p.m.* The candidates join in the middle of the stage for a photographed handshake.

An Equal Opportunity/Affirmative Action University

084

VCU/Trani 10/3/97 letter [#2] to Candidate Campaign Managers (pp. 125-126)
A147

- *7:50 p.m.* The candidates move to the podiums for a final sound and light check.

Demonstrators

- In order to insure that we do not infringe on first amendment rights and if demonstrators do appear, they will be asked to move across Park Avenue and Grove Avenue to a location near the VCU Music Center. Security will remain at that location (see attached map).

Please feel free to contact me with any questions. I look forward to seeing you on Monday.

A148

Sincerely,

Meg F. Price
Executive Assistant to the President
and Board of Visitors

attachment

sch

copy: The Honorable L. Douglas Wilder

Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. Box 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

October 6, 1997

A149

Ms. Susan Platt
Campaign Manager
Don Beyer for Governor
1004 North Thompson Street
Suite 300
Richmond, Virginia 23230

Mr. Bryan Slater
Campaign Manger
Gilmore '97
4914 Fitzhugh Avenue
Suite 202
Richmond, Virginia 23230

Dear Susan and Bryan:

Enclosed are six tickets for each campaign. We inadvertently gave each of the campaigns 34 rather than 40 tickets on Friday. I apologize for the error, and for any inconvenience it may have caused.

Please contact me if you have any questions.

Sincerely,

Meg F. Price
Executive Assistant to the President
and Board of Visitors

0~~8~~6

127

An Equal Opportunity/Affirmative Action University

VCU/Trani 10/6/97 letter to Candidate Campaign Managers (p. 127)
A149

VCU
Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX 804 828-7532
TDD: 1-800 828-1120

BY FAX
MEMORANDUM

TO: **Ms. Susan Platt**
Campaign Manager
Don Beyer for Governor

Mr. Bryan Slater
Campaign Manager
Gilmore '97

FROM: **Meg Fontaine Price**

DATE: **October 6, 1997**

Attached is a map designating the location that campaign staff should arrive for parking. Campaign staff will either be valet parked or directed to nearby parking. The parking staff will be stationed on the scene before 1:00 p.m. today.

Please send me the list of the 25 staff who need credentials. Credentials may be picked up upon arrival at the Performing Arts Center on the second floor near the media area.

Also, please fax me a signed copy of the *No Use Agreement*. We must have this back immediately.

Thank you for your assistance.

jas

enclosure

A150

VCU/Trani 10/6/97 memorandum to Candidate Campaign Managers (pp. 129-130)
A150

Virginia Commonwealth University
Academic Campus
Parking Locator

A151

Campaign staff valet parking

130

VCU

Office of Parking & Transportation Services

327 West Main Street
P.O. Box 843002
828-8726

G0056 ~~059~~

VCU/Trani 10/6/97 memorandum to Candidate Campaign Managers (pp. 129-130)
A151

Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7532
TDD: 1-800 828-1120

1997 NO-USE AGREEMENT

I agree not to use original or secondary audio/video footage from the gubernatorial debate held on October 6, 1997, at the Performing Arts Center of Virginia Commonwealth University in Richmond, Virginia, for any political advertising use or for any purpose other than internal review by the campaign staff. I understand and agree that neither campaign will record the debate on camera.

A152

Bryan Slater, Campaign Manager
Jim Gilmore for Governor

Date 10/4/97

Witness _____ *Date* 10/9/97

James S. Gilmore
Republican Candidate for Governor

Date 10/4/97

Witness _____ *Date* 10/6/97

Susan Platt, Campaign Manager
Don Beyer for Governor

Date

Witness _____ *Date* _____

Don Beyer
Democratic Candidate for Governor

Date

Witness _____ *Date* _____

0X1

4x Raw Grayscale/Mixed Scan Density

VCU/Trani 1997 No-Use Agreement (pp. 132-133)
A152

VCU
Virginia Commonwealth University

Office of the President

President's House
310 West Franklin Street
P.O. Box 842512
Richmond, Virginia 23284-2512

804 828-1200
FAX: 804 828-7832
TDD: 1-800 828-1120

1997 NO-USE AGREEMENT

I agree not to use original or secondary audio/video footage from the gubernatorial debate held on October 6, 1997, at the Performing Arts Center of Virginia Commonwealth University in Richmond, Virginia, for any political advertising use or for any purpose other than internal review by the campaign staff. I understand and agree that neither campaign will record the debate on camera.

A153

Bryan Slater, Campaign Manager
Jim Gilmore for Governor

Date

Witness _____ *Date* _____

James S. Gilmore
Republican Candidate for Governor

Date

Witness _____ *Date* _____

Susan Platt, Campaign Manager
Don Beyer for Governor

Oct. 5, 1997
Date

Witness Cara Brown *Date* October 5, 1997

Don Beyer
Democratic Candidate for Governor

October 5, 1997
Date

Witness _____ *Date* OCTOBER 5, 1997

133

G0061

02

VCU/Trani 1997 No-Use Agreement (pp. 132-133)
A153

The Virginia Reform Party
aka The Virginia Independent Party
3809 Dillon's Fork Road, Fieldale, Virginia 24089
Home/Fax: 540-673-2577
E-Mail DBAUCHE@digdat.com

October 21, 1997

A154

Dr. Eugene Trani, President
VIRGINIA COMMONWEALTH UNIVERSITY
910 West Franklin Street, 1st Floor
Richmond, Virginia 23221

Dear President Trani:

As you are undoubtedly aware, Virginia Commonwealth University sponsored and managed Debate Virginia on Monday, October 6, 1997. Without any published regulations, formal process or opportunity for me to be heard, your agents simply excluded me from this taxpayer-funded Virginia gubernatorial candidates debate despite the fact that I am a qualified gubernatorial candidate on the l997 ballot representing The Virginia Reform Party.

VCU's unlawful action benefited my two opponents and did tremendous damage to my campaign. Your institutional actions not only excluded and discriminated against my viewpoints on the issues, they implicitly endorsed and publicized my two opponents' views and sent a message of official endorsement of their campaigns and disapproval of my own campaign to the Virginia Electorate several weeks before the election. You have discriminated against my views, reduced my chances of winning and jeopardized my ability to capture 10% of the vote, which is what I need to qualify as a Reform Party candidate in the next election. In this razor-close contest, the gubernatorial exclusion of The Virginia Reform Party candidate has actively changed the dynamics of the race.

In order to restore some semblance of integrity to your university as a place of free and fair public debate and to ensure untainted democracy in the electoral process, I am asking that VCU sponsor and manage another debate at VCU before the November 4th election to which you will invite all three candidates, the Democrat, Reform and Republican nominees. I respectfully request that you have Douglas Wilder moderate the debate, as he did the first one, and that you use the exact same amount of resources in mobilizing public and media attention for this debate as you did for the first one, including your website and 1-800 tollfree telephone number. I understand that you cannot guarantee the participation of the other candidates at this point, but that will be up to them to decide, and you have the responsibility to mitigate the impact of your initial lawless intervention into the gubernatorial campaign.

I am enclosing a copy of *Forbes v Arkansas Educational Television Commission*, 93F2d.497 (8th Cir. 1996), now in the Supreme Court, which establishes that governmental actors may not exclude candidates from publicly-sponsored debates on the subjective and arbitrary ground of candidate "viability". I am enclosing a copy of *Rosenberger v Rector of the University of Virginia*, 115 S.Ct.2510 (1995), which establishes that public universities and their agents are state actors and may not discriminate against speakers in public fora based on their viewpoint, whether popular or unpopular.

As an academic leader promoting public service, the free marketplace of ideas and real democracy, VCU has an obligation to begin to undo the damage it has visited upon my campaign. I look forward to your rapid response and to participating in a debate at VCU in the next two weeks. My telephone number is 540-673-2577.

A155

Yours very truly,

Sue Harris DeBauche

Sue Harris DeBauche
Candidate for Governor
The Virginia Reform Party

DeBauche 10/21/97 letter to Trani (pp. 141-142)
A155

VCU
Virginia Commonwealth University

OFFICE OF THE PRESIDENT

PRESIDENT'S HOUSE
910 WEST FRANKLIN STREET
P.O. BOX 842512
RICHMOND, VIRGINIA 23284-2512

804 828-1200
FAX: 804 828-7533
TDD: 1-800 828-1120

October 24, 1997

Ms. Sue Harris DeBauche
The Virginia Reform Party
3809 Dillon's Fork Road
Fieldale, Virginia 24089

Dear Ms. DeBauche:

This will respond to your letter dated October 21, 1997, which was transmitted by fax and received yesterday, October 23, 1997. In your letter, you have expressed concerns about the fact that Virginia Commonwealth University recently made some of its resources, such as the VCU Performing Arts Center, available for use in connection with a debate between James S. Gilmore, III and Donald S. Beyer, Jr., two candidates for Governor of the Commonwealth of Virginia.

While reserving the right to disagree with other portions of your letter, I want to take this opportunity to say that your concerns about VCU's actions are not well-founded. With all due respect, you simply misunderstand the role played by VCU in connection with the debate. VCU often makes its facilities available for use in connection with events of probable interest to the University community or the public at-large. Our efforts to accommodate such events does not make VCU responsible for the choice of speakers or the content of their remarks.

While we must decline your request that VCU sponsor a three-way gubernatorial debate between now and Election Day, you may wish to consider using the VCU Performing Arts Center or other VCU resources (e.g. VCU website, 1-800 tollfree number) in connection with an event for your own campaign, including any debate you may arrange with any other candidate. We will make every appropriate effort to accommodate any such request.

Sincerely,

Eugene P. Trani
President

/sch

Richmond Times-Dispatch
News Index
Feedback
Gateway Virginia

Monday, October 6, 1997

Wilder holds election wild card

Former governor will moderate tonight's debate

From Wire and Staff Reports

A157

Different year, different election, same question:

Will former Gov. L. Douglas Wilder, who is the host of a debate tonight between the candidates for governor, endorse the Democrat and deliver to him the votes of many black Virginians?

With Donald S. Beyer Jr., the Democrat, and James S. Gilmore III, the Republican, in a race that polls show is a dead heat, Wilder holds the wild card that could provide the decisive votes.

It's happened before. After he abandoned his independent bid for the U.S. Senate in 1994, Wilder waited until the last minute before endorsing his bitter political rival, Dem ocratic incumbent Sen. Charles S. Robb.

The move energized black voters, who make up about 18 percent of the Virginia electorate. Robb edged Republican Oliver L. North by 3 percentage points, largely thanks to winning 95 percent of the black vote.

Beyer is hoping for a similar boost. The Democratic nominee for governor was Wilder's ticket mate in 1989, when Wilder became the nation's first black elected governor.

"He's an old friend, we've served together and I've worked loyally with him for a long time," Beyer said in an interview.

But Wilder, ever the maverick, frequently has criticized Beyer and has left open the possibility of not making an endorsement -- or even backing Gilmore, the former attorney general.

Wilder has said he will not make a decision on any endorsement until some time after the debate. However political analysts -- and voters -- are sure to take close note of Wilder's words as he takes center stage in what many consider a pivotal moment of the gubernatorial campaign.

The debate will be held at Virginia Commonwealth University in its Performing Arts Center beginning at 8 p.m. Wilder will be the moderator. Political scientists Robert D. Holsworth of VCU and Larry Sabato of the University of Virginia will be the panelists posing questions, some of which will be provided by the public.

**Article, "Wilder holds election wild card,"
Richmond Times-Dispatch 10/6/97 (pp. 144-146)
A157**

Holsworth said each candidate will be allowed a 90-second opening statement. Holsworth and Sabato will ask questions until 8:57 p.m., when there will be a short break.

Then the candidates will ask questions of each other from 9 to 9:30 p.m., Holsworth said. Next, the panel will pose questions submitted by the public. Finally, the candidates will be allowed brief closing statements.

"The first 45 minutes there will be a lot of fireworks," Holsworth predicted. It's important to both candidates because "it's the first galvanizing event of the campaign."

Holsworth said he expects Beyer to point out the pair's differences and Gilmore to present his case for the tax cut and to fend off some of the recent Beyer commercials.

Both candidates need to do well, Holsworth said, but a good showing is particularly important for Beyer because Gilmore is heir to an incumbent governor.

Wilder said he has not set a timetable for when he will make a decision about an endorsement.

"They both are decent people and have records of that," Wilder said in an interview. "They are family men and have good records in office."

Wilder played down his influence, saying he doesn't tell others how to vote.

"What I have said all along is . . . I might tell people how I would vote," Wilder said.

But political analysts say that is enough to influence a considerable number of black voters, who could again hold the key in a close election.

"I certainly do not think anyone should underestimate Doug Wilder's capacity to affect the outcome of an election," said Tom Morris, a political analyst and president of Emory & Henry College. "It's not unthinkable that he could be the major player."

Morris and Sabato agree that neutrality by Wilder would help Gilmore.

"Black voter turnout in Virginia goes up when there's a sense of threat," Sabato said. "If Wilder doesn't care enough to pick, there must not be a threat."

Morris said Wilder already "has legitimized Gilmore somewhat by leaving open the possibility that he might support him, or at least not support the opponent."

Sabato finds it hard to believe Wilder actually would endorse Gilmore because "the retribution from the Democratic Party would be too great."

Article, "Wilder holds election wild card,"
Richmond Times-Dispatch 10/6/97 (pp. 144-146)
A158

Gilmore, however, hasn't given up on the idea. He met privately with Wilder earlier in the campaign.

"I'd very much like to have Governor Wilder's support. I think he's got considerable influence," he said.

Staff writer Tyler Whitley and Associated Press writer Larry O'Dell contributed to this report.

State Elections Update Index | Metro and Virginia Stories Index

Richmond Times-Dispatch	Feedback	News Index	Gateway Virginia

© 1997, Richmond Newspapers Inc.

A159

**Article, "Wilder holds election wild card,"
Richmond Times-Dispatch 10/6/97 (pp. 144-146)
A159**

OBITUARIES B2
VIRGINIA B4
WEATHER B8

METRO

POLITICS B7

A 17-year-old Henrico County girl who told police that her former boyfriend fatally shot himself has been charged with his murder.

The girl, whose name was not released because of her age, was charged in the slaying of Patrick Butler, 26, of the 3800 block of Howard Road, said Henrico police Lt. Jan Stem.

Butler's body was found in the woods in the 3800 block of Bolling Road about 5:10 p.m. Friday, after his former girlfriend called 911 to report that Butler had committed suicide. But police determined the girl shot Butler during a domestic altercation, Stem said.

Stem said Butler and the girl walked to a popular spot in the woods, where the girl allegedly shot Butler with his .25-caliber pistol. He died at the scene.

Stem said it was unclear what sparked the shooting. He said Butler and the girl had dated in the past.

The killing was Henrico's 18th of the year.

REX BOWMAN

HIDDEN CAMPAIGN. Sue Harris DeBauche is running for governor with the Virginia Reform Party.

DeBauche leads Reform Party charge

Her name will appear first on ballot

BY REX BOWMAN
TIMES-DISPATCH STAFF WRITER

DILLON'S FORK — Sue Harris DeBauche unsuccessfully ran for office four years ago — seeking a supervisor's seat in Henry County's Blackberry District — and received a miserable 167 votes. With a million more, she figures, she can be Virginia's next governor.

"A lot of people are still unhappy," DeBauche said, defining her base of potential supporters. "And I always think right will prevail."

A wispy woman with a penchant for taking in wounded and weary animals on her small farm near the North Carolina line, DeBauche was tapped last month to carry the Virginia Reform Party's banner in the governor's race. She's the party chairman.

The party's original choice had to leave the state for family reasons.

Upon the slender shoulders of this Dillon's Fork native, a choir director and accountant, rest the hopes of the greenhorn populist party formed five years ago from a collective anger at Democrats and Republicans.

But even the tall clumps of pampas grass in her neighbor's yard are seemingly conspiring to keep her gubernatorial candidacy a secret: The grass largely hides the "DeBauche for Governor" sign in her yard from motorists' views.

The situation is analogous to how the Reform Party's candidates are being treated statewide, she said.

Polls put Democrat Donald S. Beyer Jr. and Republican James S. Gilmore III in a dead heat, but pollsters usually haven't bothered to ask about DeBauche, whose name will appear atop the ballot. Neither was DeBauche invited to take part in a televised gubernatorial debate last week at Virginia Commonwealth University.

■ Campaign Spot Watch. Page B7.

The treatment her party has received rankles DeBauche, 52. "It's a slap in the face to all the citizens in the state," she said, "especially after we worked so hard to get on the ballot."

She has strong views on other subjects — for instance, she said state lottery proceeds should go to localities to spend on education, vouchers for private schools are a bad joke, and the other candidates' talk of a tax cut are "ludicrous" attempts to pay for votes. But the debate snub, DeBauche said, highlights why voters should pay attention to the Reform Party's major campaign plank, which is . . .

Campaign finance reform.

"The two-party monopoly has to stop," said DeBauche. "The other parties can't even talk about campaign finance reform — they're get-

PLEASE SEE REFORM, PAGE B7 ▶

TOMORROW: THE STATE IS HELPING NONCUSTODIAL PARENTS TO SEE THEIR CHILDREN MORE OFTEN

Article, "DeBauche leads Reform Party charge," Richmond Times-Dispatch 10/14/97 (pp. 147-148) A160

Richmond Times-Dispatch

DeBauche sees power swaps

REFORM *FROM PAGE B1*

ting all they want. Wherever you have a monopoly, you have social and economic injustices. The Republicans and Democrats just take turns playing games with our lives, so it doesn't make a difference which one is in power."

The Reform Party is running candidates for governor, lieutenant governor and five House of Delegates seats. They are calling for new state laws requiring political contributors to live in the same district as the candidate they are supporting. A contributor could give no more than $1,000, and no political action committees or corporations would be allowed to donate.

Only with that kind of reform, DeBauche said, would voters unhappy with Republicans and Democrats have a true chance to elect a candidate more in tune with their wishes. Ross Perot, the Texas billionaire and two-time presidential candidate whose United We Stand America organization gave birth to the Reform Party, received 6 percent of the vote in Virginia last year, DeBauche pointed out: "He would have done better if they'd let him in the debates."

If Virginians will use their votes to elect Reform Party candidates, DeBauche said, they can set about the work of restoring . . .

Citizens' rights.

DeBauche and the other Reform candidates are calling for new laws that strip the General Assembly of any ability to block initiatives and referendums — the process, prevalent in California, in which residents get questions put to statewide votes. Eight-year term limits would also ensure a constantly replenished democracy, according to the Reform Party.

"Instead of protecting our rights, they're always restricting them," DeBauche said.

As an example, DeBauche said restrictions on gun purchasing and ownership are onerous and should probably be "undone."

Instead of creating laws that tell people what to do and how to live, she said, the state government should be working hard to create . . .

Jobs.

"The economy is not that vibrant," DeBauche said. "It might be in Fairfax, but it's not vibrant down here [in Henry County]. A lot of people are working temporary jobs, but I don't consider a temporary job a real job."

What Reform Party candidates would do to create jobs is still sketchy. But DeBauche said she would work hard with legislators to lure industries, and she would always oppose international trade agreements — such as the North American Free Trade Agreement — that impose restrictions on the United States but create exemptions for other countries.

With a Reform governor, DeBauche said, Democratic legislators wouldn't have to worry about supporting a Republican governor's programs and likewise for Republican legislators with a Democratic governor. With some of the partisanship removed, she said, government can spend more time creating jobs.

"Lots of governors spend time in Africa and Europe and Asia," DeBauche said. "But would I travel around a lot on the people's budget? No. I'm not going on a world site-seeing tour. But I'll do as much as I can."

Her quest for the governor's job may seem quixotic, DeBauche admitted: She has no campaign staff to speak of, no phone bank to get out the vote, no fund-raising arm. There are no television commercials, no mass mailings, no major endorsements. Election-Day poll workers will be few and far between.

"I want people to understand," she said, "that with the two-party system as it is at present, nothing is going to change. And any time you have the power concentrated in the hands of an elite few, you have social and economic injustice.

"If you want reform, you must vote for it this year. And we're here."

Perot '92 vote got place on ballot

The Virginia Reform Party candidates have a place on the ballot this year because presidential candidate Ross Perot won more than 10 percent of the vote in Virginia in 1992.

The party then backed J. Marshall Coleman in 1994, who won more than 10 percent of the vote when he ran for the Senate as an independent.

Perot did not win 10 percent in the 1996 presidential election, so the party needs to win 10 percent of the vote in a statewide race this fall to keep its officials state designation.

SUE HARRIS DEBAUCHE

- **Born:** Aug. 15, 1945; Dillon's Fork
- **Residence:** Dillon's Fork, Henry County
- **Occupation:** free-lance business manager and accountant
- **Elected office:** None.
- **Public/professional service:** Chairman of Virginia Reform Party; 5th District chairman of Virginia Independent Party, 1993-1997; 5th District chairman of United We Stand America, 1992-1993
- **Education:** B.S. in business management, University of California at Irvine
- **Family:** Single. CHILDREN: April Amoreena, 23. GRANDCHILDREN: Hayli, 4; Ambrianna, 1.
- **Campaign Web site:** www.naxs.com/people/mcgoat-s/homepage.htm
- **Campaign e-mail:** DBAUCHE-@digdat.com
- **Campaign telephone:** (540) 673-2577

FREE parking Fairgrounds

PRESS PASS savings on
University of Richmond vs.
William & Mary
Women's Soccer At University of Richmond
Soccer Stadium
Tuesday, October 14 at 7:00 p.m.

Tickets half-price with PRESS PASS

GUTTER TOPPER
NEVER CLEAN YOUR GUTTERS AGAIN...
VIRGINIA WINDOW & REMODELING
WEST END 285-2298
SOUTHSIDE 320-6775

Article, "DeBauche leads Reform Party charge,"
Richmond Times-Dispatch 10/14/97 (pp. 147-148)
A161

BEST AVAILABLE COPY

Richmond Times-Dispatch
VIRGINIA'S NEWS LEADER

More Power to Him

Richmond's new school Superintendent, Albert Williams, will attend his first School Board meeting October 20. Between now and then, Board members will consider rescinding the policy change,they made last year prohibiting the Superintendent from reassigning or transferring personnel without Board approval.

They should reverse themselves and reinstate the original policy.

If Williams can't be trusted with such elementary decisions, then the Board should not have hired him. Revoking the authority to transfer personnel was intended as an insult to Patricia Conn. What is the purpose of hamstringing Williams, in whom Board members presumably have confidence?

Last year's imbroglio created the impression that the Board was merely grabbing for power. If that is untrue, then endowing Williams with full authority might help negate that unfortunate perception.

She's Right

Sue Harris DeBauche is not a happy woman. She resents being excluded from the gubernatorial debate between Don Beyer and Jim Gilmore that took place a few days ago at VCU. And she should.

Ms. DeBauche is the Reform Party's candidate for Governor. Virginia recognizes the Reforms as a legally valid political party, and Ms. DeBauche's name will appear at the top of the ballot on November 4.

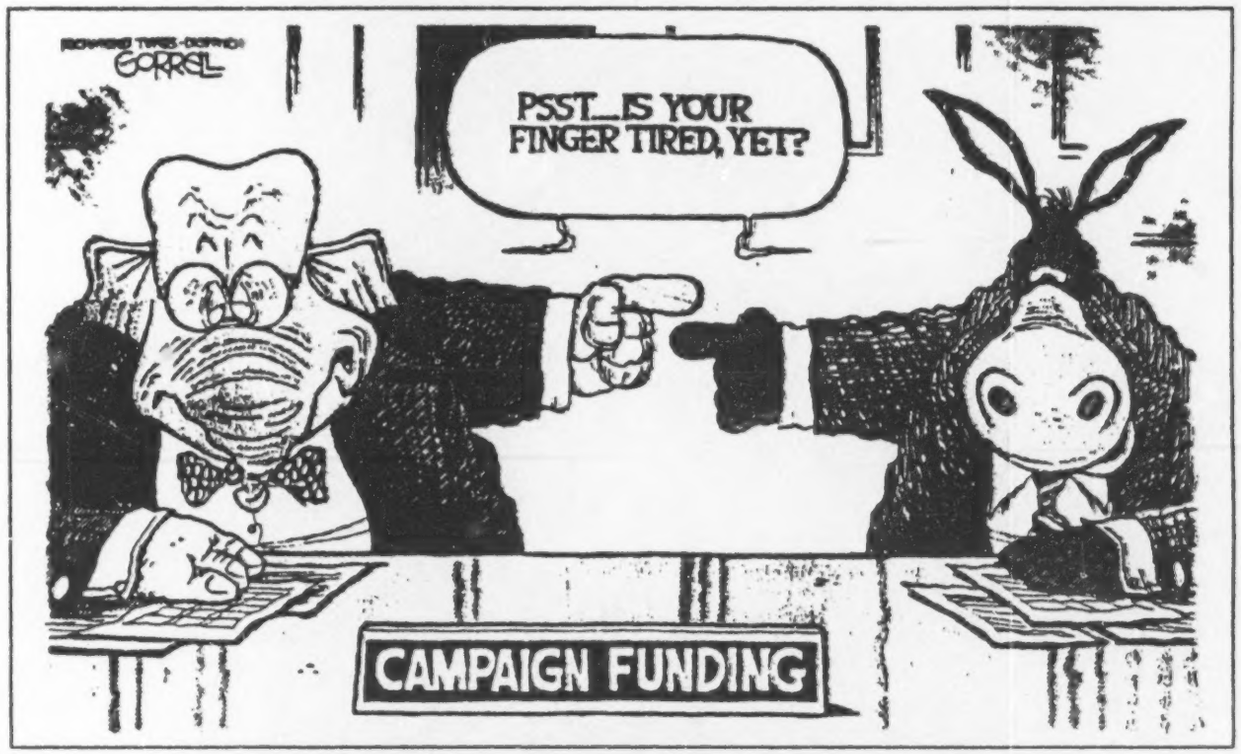
VCU hosted the debate. That would seem to make the event a state-sponsored one. If that is indeed the case, then the organizers should have made sure each candidate who will appear on the ballot received an invitation to participate.

Third parties face many hurdles — some statutory, some not. The catch-22 probably ranks as the highest: Third-party candidates don't get invited to debates and similar public events because they have little chance of winning, and they have little chance of winning partly because they don't get invited to debates and similar public events. Yet poll after poll shows dissatisfaction with the two major parties, suggesting that voters might welcome alternatives if they knew more about them.

It says nothing about the rightness or wrongness of Ms. DeBauch's political views, to say she should have been invited to the debate to let the voters decide for themselves.

Trading Favors

Most Favored Nation trading status means less than the designation implies. It does not mean, for instance, that countries qualifying for MFN rank among America's sweethearts. Rather, it describes a technical condition.



LETTERS TO THE EDITOR 149

National Tests Mean A National Curriculum

EDITOR, TIMES-DISPATCH:

Kudos for William Safire's October 4 column, "Flunk Clinton's Cookie-Cutter Test for This Diverse Nation."

As a former teacher and administrator in Virginia schools, I have found that teachers do "teach to the test." As Safire states, national testing for math and English will inevitably result in national curricula, and not just for those subjects.

Unchecked, Bill Clinton's *Correspondent of the Dar*

Whenever the press or elected officials try to defame the Sierra Club with half-truths and distortions such as these, membership grows and donations increase. With adversaries like the TIMES-DISPATCH, the Sierra Club will continue to be one of the largest, most well-respected environmental organizations in the country for years to come.

RANDY TRUE SLOVIC.
RICHMOND.

Banning Books Isn't A Trivial Issue

EDITOR, TIMES-DISPATCH:

The American Library Association's Banned Books Week is not, as your September 22 editorial ["Banned Books Week"] proclaims, an "annual oddity" ad-

Books are indeed challenged and materials removed from school classrooms and libraries across the country — and in the Richmond area — on a regular basis. As those of us in the schools well know, many decisions regarding school materials are never reported or publicly voted upon, but the end result is the same: the removal or suppression of books and magazines.

While all of us can agree that certainly parents and other concerned citizens are welcome to scrutinize library shelves, the United States Supreme Court has ruled that school libraries cannot be regulated willy-nilly — even by a district school board. It is in support of such decisions that ALA and other concerned organizations welcome the attention

ple to read in school. Yet to chuckle over the statistics publicized during Banned Books Week and to wink at the removal of materials (even the lowly Goosebumps series) trivializes the issue beyond its current gravity.

LEILA CHRISTENBURY.
RICHMOND.

Candidate Sounds Like Doug Gilmore, Jim Clinton

EDITOR, TIMES-DISPATCH:

Jim Gilmore is a good candidate for Governor and I just might vote for him. However, he needs to sound a little less like a Democrat. Let me get this straight: We'll pay fewer taxes (on cars), we'll spend more (4,000 more teachers), but we won't go in debt because the expanding economy will generate

Editorial, "She's Right," Richmond Times-Dispatch 10/11/97 (p. 149)
A162

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

SUE HARRIS DEBAUCHE,	)	
	)	
- Plaintiff,	)	
	)	
v.	)	**CIVIL ACTION**
	)	**NO. 3:97CV770**
VIRGINIA COMMONWEALTH UNIVERSITY, et al.,	)	
	)	
	)	
Defendants.	)	

AFFIDAVIT OF SUE HARRIS DEBAUCHE

COMMONWEALTH OF VIRGINIA)
)
CITY OF SALEM to wit:)

The undersigned, Sue Harris DeBauche, a resident of the Commonwealth of Virginia, being duly sworn, hereby deposes as follows:

1. I am a resident of the Commonwealth of Virginia and now reside in Moneta, Virginia. This Affidavit is based on

my personal knowledge.

2. I have read the affidavit of Carl E. McNeill, the General Manager of Clear Channel Radio, Inc., t/a/ WRVA ("WRVA"), filed in connection with its motion to dismiss my lawsuit.

3. Mr. McNeill indicates that Debate Virginia was carried out by L. Douglas Wilder as an independent contractor and not by WRVA. He says that WRVA's only role in Debate Virginia was to pick up the audio feed, broadcast the debate and provide the feed to other radio companies. He also indicates that WRVA had no role in choosing the debate participants.

4. From my review of the Appendix which I have previously submitted to the Court (which includes documents produced in response to subpoenas in this case), it is clear to me that WRVA had a greater role in the debate than that stated by Mr. McNeill. For example, the initial April 7, 1997, invitation letter to the candidates, found at pages 031-32 of the Appendix,

states that the invitation to debate was extended "on behalf of WRVA. . . ." G. Bryan Slater, Governor Gilmore's campaign manager, apparently read it that way too when, in reply to Wilder on April 23, 1997, he characterized the debate as being "sponsored by WRVA" and that Governor Wilder or "the appropriate person at WRVA" would be setting the date and arrangements for the event. Appendix 036. On May 7, 1997, Governor Wilder again represented to candidate Gilmore that it was a "WRVA sponsored debate." Appendix 037-8. And then, on July 7, 1997, Governor Wilder again stated to the candidates, among other things, that the debate was being "jointly sponsored by WRVA, WNVT and affiliates and VCU." Appendix 042-3. The facts as seen through Mr. O'Neill's eyes unfortunately do not square with the written historical record of the debate. Unless Governor Wilder is lying, which I have no reason to believe he would do, the initial invitation was made to the candidates "on behalf of WRVA." The other documents in

the Appendix I have submitted also reveal additional "negotiations" took place leading to Debate Virginia with WRVA continuing as a co-sponsor and participant in the event. Appendix 042.

4. Mr. O'Neill's statement as to Governor Wilder's status as an independent contractor states a legal conclusion. Whether he was an independent contractor, or an agent, of WRVA for purposes of the debate, its seems to me, would have to be determined by the trier of fact, just as whether, in excluding me from the debate, he was also acting "on behalf of WRVA."

5. At the moment, WRVA has refused to respond to my discovery to determine the precise facts and circumstances of the relationships between the defendants who co-sponsored the debate, what each of them knew and when, and the precise role each of them played in the debate and its execution. I would hereby request that the Court require the

defendants to respond to the discovery requests I have previously submitted. I would also request the Court to permit me to conduct necessary further discovery, including depositions of Mr. O'Neill, Governor Wilder and other personnel of WRVA and the other defendants, to present facts to rebut and defend against WRVA's motion for summary judgment which I now believe to be premature.

FURTHER YOUR AFFIANT SAITH NAUGHT.

SUE HARRIS DEBAUCHE

SUBSCRIBED AND SWORN before me this 21st day of January 1998.

Christie A. Gibbs
Notary Public

My Commission expires: August 31, 2001

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

SUE HARRIS DEBAUCHE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**CIVIL ACTION NO.**
	)	**3:97CV770**
VIRGINIA COMMONWEALTH UNIVERSITY, et al.,	)	
	)	
	)	
Defendants.	)	
	)	

AFFIDAVIT OF WINSTON E. MATHEWS, JR.

COMMONWEALTH OF VIRGINIA)
)
COUNTY OF YORK, to wit:)

The undersigned, Winston E. Mathews, Jr., a resident of the Commonwealth of Virginia, being duly sworn, hereby deposes as follows:

1. I am a resident of Charles City County, Virginia,

and also happen to be a member of the bar in good standing of the Commonwealth of Virginia. This Affidavit is based on my personal knowledge.

2. I live in a rural location in Charles City County and frequently have to drive some distance for shopping, appointments and social gatherings. When I do, I usually listen to WRVA-AM. I like to listen to WRVA because it is a high-power, news-oriented station and makes a concerted effort to be the leading news station in Richmond. Being in the State Capital, WRVA's news coverage is also particularly oriented to Virginia politics and many of its programs include discussion of Virginia political issues. For instance, I am aware that Governor Allen has had a monthly program with WRVA personality, Pam Overstreet, during the years of his Governorship. Likewise, former Governor Wilder has a program once a week focusing primarily on politics and issues of social importance. Political discussions also occur with

regular frequency on talk shows hosted by Jerry Lund, Jim Jacobs and Lou Dean. I have myself been a Republican Party activist (and was at one time a candidate in the Republican Primary for statewide political office) and am aware that politically involved persons in Richmond and in the WRVA listening area listen to WRVA because of its political coverage. These subjects interest me and for that reason I also listen to WRVA on a regular basis.

3. In September 1997, I became aware from listening to WRVA that WRVA was involved in instigating or sponsoring a debate between Gubernatorial candidates, Jim Gilmore and Don Beyer. The way it was presented over the air, it appeared WRVA was one of the main sponsors of the debate and that it was presented as a WRVA semi-exclusive event, that is, it would be aired on other stations, but that WRVA was making the whole event possible. WRVA's promotion was worded in a way that "we're the more important cog in the

wheel, we had something to do with it and if you want to hear it, you should listen to WRVA." In other words, WRVA was taking credit for its importance in making the debate happen. Its promotion of the debate occurred not only on Governor Wilder's show, which is just one evening a week, but at other times during the day including the Lou Dean Newsmaker's Show, the Jerry Lund Show and Jim Jacob's drive time show in the afternoons.

4. I am not related by politics or otherwise to Sue Harris DeBauche and in fact have never met her or heard her speak. I also am not affiliated in any manner with any competitor of WRVA.

FURTHER YOUR AFFIANT SAITH NAUGHT.

Winston E. Mathews, Jr.

SUBSCRIBED AND SWORN before me this 20th day of January 1998.

Jacqueline Coffman
Notary Public

My Commission expires: 6/30/2001

KNICELY & COTORCEANU
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
POST OFFICE DRAWER GK
WILLIAMSBURG, VIRGINIA 23187
(757) 253-0026

487 MCLAWS CIRCLE, SUITE TWO
QUARTERLAND COMMONS
BUSCH CORPORATE CENTER
WILLIAMSBURG, VIRGINIA 23185

FAX: (757) 253-5825

EMAIL: KCLAW@ATTMAIL.COM
WEBSITE: WWW.KCLAWFIRM.COM

July 29, 1998

A173

The Honorable James R. Spencer
United States District Judge
U. S. District Court
for the Eastern District of Virginia
Richmond Division
1000 East Main Street
Richmond, Virginia 23219

Re: Debauche v. VCU et al., Civil Action No. 3:97cv770

Dear Judge Spencer:

At the conclusion of the defendant's argument today on the pending attorney fee motions in this case, the Court indicated it had a jury waiting for its next case and I did not have the opportunity to comment on argument by defendant's counsel. For the record, I did want to correct a statement made by one of the other counsel to the effect that someone is paying for Ms. DeBauche's counsel in this case. I hereby represent as an officer of the Court that none of Ms. DeBauche's counsel has been or is being compensated for their work on her case. From the beginning her case has been handled on a strictly pro bono basis and the attorneys working on the case have considered it, as with certain other work they do, as part of the legal profession's obligation to make the system of justice accessible for persons whose constitutional rights have been violated and would not otherwise have the means to do so.

Very truly yours,

James J. Knicely

jjk/j

cc: R. Hewitt Pate, Esquire (by U. S. Mail)
Robert L. Brooke, Esquire (by U. S. Mail)
Lawrence D. Wilder, Jr., Esquire (by U. S. Mail)
William E. Thro, Esquire (by U. S. Mail)

823

WILDER & GREGORY
ATTORNEYS AT LAW
EIGHTH & MAIN BUILDING
SUITE 1000
707 EAST MAIN STREET
RICHMOND, VIRGINIA 23219

MAILING ADDRESS:
POST OFFICE BOX 518
RICHMOND, VA 23218-0518

TELEPHONE (804) 643-8401
TELECOPIER (804) 648-2707

May 5, 1998

CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

A174

James J. Knicely
Knicely & Cotorceanu, P. C.
Post Office Drawer GK
487 McLaws Circle, Suite 2
Williamsburg, Virginia 23185

Re: Sue Harris Debauche v. Virginia Commonwealth University, et al.
Civil Action No. 3:97cv770

Dear Mr. Knicely:

I enclose Lawrence Douglas Wilder's Motion to Dismiss, Memorandum in Support of Motion to Dismiss, Motion for Summary Judgment and Memorandum in Support of Motion for Summary Judgment in the original envelope mailed March 16, 1998. This was returned to our office due to an error on the mailing label.

Please do not hesitate to contact either me or Mr. Wilder if you have any questions.

Sincerely,

Laura M. Hillenbrand

cc: Alison Paige Landry, Esq. (w/o enclosure)
Jack Martin, Esq. (w/o enclosure)
Robert Brooke, Esq. (w/o enclosure)

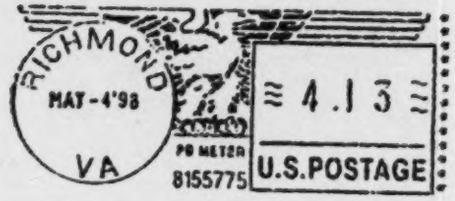
Letter from Laura M. Hillenbrand to James J. Knicely 5/5/98
(with 5/4/98 attached postmark), and copy of postmarked envelope dated 3/16/98,
marked insufficient address
A174

A175

CERTIFIED

P 488 646 249

MAIL



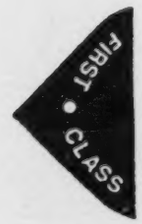
FIRST CLASS MAIL

WILDER & GREGORY
ATTORNEYS AT LAW
POST OFFICE BOX 518
RICHMOND, VIRGINIA 23204-0518

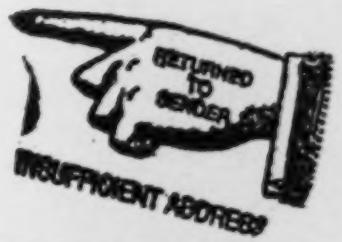
TO: James J. Knicely, Esquire
Knicely & Cotorceanu, P.C.
Post Office Drawer GK
487 McLaws Circle, Suite 2
Williamsburg, VA 23185

406

C.71



Letter from Laura M. Hillenbrand to James J. Knicely 5/5/98
(with 5/4/98 attached postmark), and copy of postmarked envelope dated 3/16/98,
marked insufficient address
A175



WILDER & GREGORY
ATTORNEYS AT LAW
POST OFFICE BOX 518
RICHMOND, VIRGINIA 23218-0518

TO: James J. Knicely
Knicely & Cotorceanu, P.C.
Post Office Drawer Circle,
Suite 2
Williamsburg, VA 23185

407

Letter from Laura M. Hillenbrand to James J. Knicely 5/5/98
(with 5/4/98 attached postmark), and copy of postmarked envelope dated 3/16/98,
marked insufficient address
A176